

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Bee Sweet Citrus, Inc.,

Complainant,

v.

Southern California Edison Company,

Defendant.

Case 05-11-004
(Filed November 1, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
DIRECTING DEFENDANT TO PROVIDE CERTAIN INFORMATION IN
ANSWER; SETTING TELEPHONIC PREHEARING CONFERENCE (PHC);
AND CALLING FOR PHC STATEMENTS**

On November 1, 2005, Bee Sweet Citrus, Inc. (Bee Sweet) filed this complaint against Southern California Edison Company (Edison) regarding billing disputes and alleging a damaged pump. The Commission served Edison with instructions to answer on November 14, 2005; thus, Edison's answer is currently due on December 14, 2005.

If the parties are unable to settle this matter prior to Edison filing its answer, this ruling directs Edison to set forth certain information in its answer. The ruling also sets a telephonic PHC and directs the parties to file PHC statements prior to the PHC.

Edison's Answer

In addition to other information Edison wishes to include in its answer to its complaint, Edison shall set forth the specifics of any investigation it has performed on the billing issue outlined in the complaint. Among other things, Edison should state the date of its investigations, who conducted them, the duration of the investigations, and the detailed findings thereof.

PHC

This ruling sets a telephonic PHC for Wednesday, December 21, 2005, commencing at 10:00 a.m. Parties shall call the following toll free number: 1-877-347-9604. The participant password is 771069. The PHC will be transcribed. A PHC is called to determine the parties, positions of the parties, issues, settlement possibilities, and other procedural matters.

PHC Statements

Parties shall file PHC statements no later than Monday, December 19, 2005. The parties shall meet and confer prior to filing the PHC statements. The parties may file separate PHC statements, or may file one statement jointly.

The PHC statements shall address (a) the possibilities of settlement and whether Commission-assisted alternative dispute resolution, such as mediation, would be useful in resolving this dispute; (b) the need for hearing (i.e., state whether hearings are necessary and if so, list the material issues of disputed fact which require an evidentiary hearing); (c) the issues to be considered; (d) the proposed schedule for the proceeding in order for the Commission to resolve this proceeding within 12 months of its initiation (see Pub. Util. Code § 1701.2(d));

and other procedural issues necessary for a prompt resolution of this proceeding.¹

IT IS RULED that:

1. Southern California Edison Company (Edison) shall include the information set forth in the ruling in its answer.
2. The Commission has set a telephonic prehearing conference (PHC) in the above-captioned matter for Wednesday, December 21, 2005, commencing at 10:00 a.m. The toll-free participant call-in number is set forth in the text of this ruling.
3. Parties shall file PHC statements no later than Monday, December 19, 2005. A temporary service list is attached to this ruling. The parties shall also serve the counsel for Edison who files a response to this complaint (this has not yet been filed, so this name cannot now be added to the temporary service list.) Please also serve the undersigned with PHC statements by same day email service at jjj@cpuc.ca.gov.
4. Parties shall not wait for the PHC to commence discovery. If the parties are unable to resolve discovery disputes, they may tender their discovery disputes to the Commission pursuant to the procedure set forth in Resolution ALJ-164.

Dated November 29, 2005, at San Francisco, California.

¹ Complainant has addressed some of these issues in the complaint, but may elaborate on them if it wishes. Edison has not yet responded to the complaint, and therefore has not addressed these issues.

/s/ JANET A. ECONOME

Janet A. Econome
Administrative Law Judge

ATTACHMENT
Temporary Service List

***** APPEARANCES *****

James C. Sherwood
BEE SWEET CITRUS, INC.
416 E. SOUTH AVE.
FOWLER CA 93625
(559) 834-5345

Consumer Affairs
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVE. ROOM 390
ROSEMEAD CA 91770

***** STATE EMPLOYEE *****

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***** INFORMATION ONLY *****

(END OF ATTACHMENT)

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Directing Defendant to Provide Certain Information in Answer; Setting Telephonic Prehearing Conference (PHC); and Calling for PHC Statements on all parties of record in this proceeding or their attorneys of record.

Dated November 29, 2005, at San Francisco, California.

/s/ FANNIE SID
Fannie Sid

NOTICE

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074,

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TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.